

GREEN ACRES PROGRAM

New Jersey Department of Environmental Protection



NONPROFIT ASSISTANCE APPLICATION LAND ACQUISITION AND PARK DEVELOPMENT

Green Acres Mission Statement

*To achieve, in partnership with others,
a system of interconnected open spaces
whose protection will preserve and enhance
New Jersey's natural environment
and its historic, scenic, and recreational resources
for public use and enjoyment.*

GREEN ACRES PROGRAM

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NOVEMBER 2004

**NJDEP GREEN ACRES PROGRAM
NONPROFIT ASSISTANCE APPLICATION PACKAGE
LAND ACQUISITION AND PARK DEVELOPMENT**

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GREEN ACRES PROGRAM NONPROFIT ASSISTANCE APPLICATION LAND ACQUISITION AND PARK DEVELOPMENT

GENERAL INFORMATION AND GUIDELINES

The Green Acres Program assists qualifying tax exempt nonprofit organizations in the acquisition of open space for recreation and conservation purposes and the development of outdoor recreation facilities. Funding is provided in the form of 50% matching grants.

Green Acres accepts applications throughout the year, and normally batches all complete applications received by mid-February for consideration in our Spring funding round. Applications for the next funding round must be **postmarked by February 15, 2005**. Projects in each round compete against each other, and successful applications are approved by the Garden State Preservation Trust in April. Please be advised that the funding available from the Garden State Preservation Trust will be fully committed in the next few funding rounds, so competition for this limited funding will become increasingly intense. All interested applicants are encouraged to contact Green Acres *as early as possible* to discuss project eligibility, program priorities, and application procedures.

To qualify for grant consideration, the board of directors or governing body of an applying tax-exempt nonprofit organization must:

1. Demonstrate to the Commissioner of the Department of Environmental Protection that it qualifies as a Charitable Conservancy for the purposes of P.L. 1979, c. 378 (C.13:8B-1 et seq.). The enclosed excerpt from that law defines a Charitable Conservancy, but applicants should obtain and review a copy of the entire law, as a compliance certification from each organization will be required as part of the application;
2. Demonstrate that it has the resources to match the grant requested. The nonprofit may use as its matching share, its own funds, a donation of all or a portion of the value of a project site, or any other public or private funding except as provided by, or through, the Garden State Preservation Trust;
3. Agree to provide public access, unless the Commissioner determines that public accessibility would pose an unacceptable risk to the land or its natural resources;
4. Agree not to sell, lease, exchange, or donate the lands except to the State, or local government unit, another qualifying tax exempt nonprofit organization, or the Federal government for recreation and conservation purposes (and then only with the prior written approval of the Commissioner); and
5. Agree to execute and donate to the State, at no charge, a conservation restriction or historic preservation restriction, as the case may be, pursuant to P.L. 1979, c. 378 (C.13:8B-1 et seq.) on the lands to be acquired or developed utilizing the grant. The conservation restriction and historic preservation restriction referred to in the law will be written by Green Acres and the nonprofit to fit the needs of each project.

As you consider potential projects for Green Acres funding, please keep in mind that all proposals must demonstrate the following: consistency with established needs and planning objectives in local and state planning documents, such as New Jersey's 2003 Statewide Comprehensive Outdoor Recreation Plan (a summary of which is available upon request); an ability and commitment to maintain the proposed open space/outdoor recreation project; and public input in the planning process. Successful applications will reflect comprehensive environmental protection, effectively meet the public's open space needs, demonstrate cost effectiveness, and provide meaningful public access.

To ensure that proposals selected for Green Acres funding are those that best represent established open space/recreation priorities, we encourage you to discuss your proposal with land-use planning officials, recreation staffs, environmental commissions, and other appropriate interest groups.

PROJECT ELIGIBILITY – ACQUISITION PROJECTS

The nonprofit may purchase land in fee simple or it may acquire a perpetual conservation easement or historic preservation easement on the property, as long as meaningful public access is provided to the project area. **Meaningful public access must be provided to every project funded under this program.** Eligible acquisition projects include, but are not limited to, the purchase of water reserves, natural areas, unique land types, historic sites, conservation areas, and open space for active or passive outdoor recreation purposes. Ineligible proposals include the acquisition of properties predominantly covered by building improvements, former landfills sites, known or suspected hazardous waste sites, or properties adversely affected by such sites.

A nonprofit may undertake an acquisition project that implements or assists in the implementation of an Open Space and Recreation Plan developed by a local government that is collecting an open space tax. We will provide a more streamlined application package for these types of projects, which must be undertaken with the approval of and in cooperation with the local government. The plan must be prepared according to Green Acres guidelines and must be submitted for approval as part of the nonprofit's application. Since this is a relatively new nonprofit category, it is *critical* that you discuss your project with Green Acres prior to preparing your application. In fact, it is recommended that all jointly sponsored proposals be discussed with Green Acres staff prior to the preparation of the application.

PROJECT ELIGIBILITY – DEVELOPMENT PROJECTS

Nonprofit organizations are also eligible to receive matching grants for the *development* of outdoor recreation and conservation facilities. Based on the intense demand for acquisition funding, however, we anticipate that funding for development projects funds will be extremely limited and earmarked for projects in designated Urban Aid municipalities (P.L. 1978 (c. 52:27D-178 et seq.), in Densely or Highly Populated Municipalities, or in Densely Populated Counties (see enclosed list). If you can demonstrate that the supermajority (at least two-thirds) of users of the proposed development project live in the above-mentioned municipalities or counties, the development project now also will be considered for funding.

Recreational facilities that may be funded include, but are not limited to, facilities that provide boating, fishing, swimming, outdoor games and sports, biking, picnicking, camping, or nature interpretation. Projects that will have a significant negative impact on the site's natural resources (such as excessive tree clearing) are ineligible. To be eligible, the nonprofit applicant must either own the land to be developed or must have a 25-year irrevocable lease or use agreement (which must be reviewed and approved by Green Acres in advance, if possible).

PROJECT RANKING

Applications for Green Acres funding are subject to a competitive ranking system. The Nonprofit Project Priority System measures the extent to which each proposal addresses specific local open space and recreation facility needs; the amount of public input and support during the planning process; consistency of the proposal with existing state and local planning objectives; and project quality. The narrative portion of the Green Acres application is critical to the project ranking process. Therefore, it is important for the narrative to clearly address, *in order*, each factor listed in the priority system.

FUNDING LEVELS

Approximately \$12 million from the Garden State Preservation Trust will be available for nonprofit acquisition and park development projects this coming year. As in the past, we anticipate keen competition for funds and, thus, we may again need to establish a maximum funding amount of \$500,000 per project or organization. For acquisition projects, special consideration may be given to projects of special concern and extraordinary resource value. To help us properly evaluate the project, please indicate the *total* anticipated project cost and the amount you anticipate being able to spend *in one year*. Organizations may submit more than one application but must indicate their first priority, as approvals may be limited to one per applicant.

ELIGIBLE COSTS

For acquisition projects, costs eligible for funding include the cost of acquiring the land, as well as other costs if they are included in the initial request and if there are sufficient funds. These include survey, appraisal, title, and preliminary assessment costs associated with an acquisition, provided these reports are prepared in accordance with Green Acres guidelines. The cost to demolish buildings on a site being acquired is eligible for reimbursement up to an established cap per project. Well testing done in compliance with the Private Well Testing Act (P.L. 2001, c. 40; N.J.S.A. 58:12A-26 et seq.) also is eligible for reimbursement, if applicable. Incidental costs, individually itemized, associated with the implementation of the acquisition project, including legal, engineering, financial, geological, hydrological, inspection, and other professional services are eligible for reimbursement up to an established cap.

For development projects, the cost of constructing the recreational facilities is eligible for reimbursement, as are other costs if included in the initial request and if there are sufficient funds. Professional services (i.e., design, engineering, and supervision), up to 13% of the cost of construction, and preliminary assessment costs associated with the project site are eligible. Other incidental costs related to the development project, including legal, advertising, permit fees, and preliminary planning and engineering necessary for the preparation of the application, are eligible for funding, up to an established cap.

APPLICATION REQUIREMENTS

As part of the public input requirement, you must have printed in the official newspaper of the municipality(ies) in which the project is located, a notice stating that you have applied for Green Acres funds to acquire the project area, and that your application is on file at Green Acres and available for review and comment. A copy of the notice must be sent to the clerk of the municipality or municipalities in which the proposed project is located at least 15 days prior to submitting an application to Green Acres. Proof of Publication and a copy of the municipal notice must be included in your application package.

For development projects, if the proposed project is located in either the Meadowlands District or the Pinelands, the nonprofit must meet with the Pinelands Commission or Meadowlands Commission, as applicable, to discuss the proposed project prior to applying for Green Acres funding. Green Acres now requires a letter stating that such pre-application conference was held, accompanied by a copy of the Commission's comments on the proposed development project.

SITE ASSESSMENT

For acquisition and development projects, Green Acres requires careful review of all proposed project sites for evidence of past use as landfills; hazardous waste production, storage, or disposal sites; or of the adverse effects resulting from such sites in close proximity to proposed public land. This is intended to minimize public liability for site cleanup costs and allows the state and local unit to be reasonably assured that lands acquired with public funds can be used for recreation or conservation purposes without risk to public health.

Thus, if your application is approved, you will be required to conduct a preliminary site assessment of the project site. Green Acres will provide guidance documents that require adherence to the minimum criteria established by the NJ DEP in the Technical Requirements for Site Remediation (N.J.A.C. 7:26E-3). Costs normally associated with this professional service are reimbursable as part of an approved and completed Green Acres project.

Green Acres encourages public and private agencies to reclaim and restore former brownfields sites and transform them into public spaces, such as recreational and natural areas. The Department recently launched the "Brownfields to Greenfields" initiative and created the Office of Brownfields Reuse, where experienced NJDEP case managers can oversee remediation and revitalization efforts in your community. If you believe your project site qualifies as a brownfield, please discuss this with your Green Acres representative.

Nonprofits proposing to acquire property for future development, as well as applicants seeking development funds, should carefully analyze site suitability early in the open space/recreation planning process and prior to submitting applications to Green Acres. Site attributes, such as wetlands, dunes, endangered species, mature forested areas, or other significant natural resources, may define, limit or, in some instances, preclude development. Applicants are urged to seek assistance from Green Acres or another source to ascertain whether special approvals and permits may be associated with sites proposed for recreational development. Early awareness of possible site development limitations is integral to sound planning practices and often minimizes subsequent construction delays and constraints. Permit identification is required as part of all Green Acres development applications.

The Department encourages the nonprofit to design and construct park development projects, especially any buildings, using sustainable design principles as delineated in the US Green Building Council's (USGBCs) Leadership in Energy and Environmental Design (LEED™) Green Building Rating System for New Construction and Major Renovations Version 2.1. These design principles include some of the following: the installation of equipment that results in water use reduction; the use of clean energy, renewable energy, and energy efficient technologies; the use of construction materials that include recycled content; and the use of materials that reduce exposure to indoor air contaminants. For more information on the USGBCs LEED™ System, go to www.usgbc.org.

Nonprofit Assistance Application Form

Complete and submit with **all required attachments** to:
NJDEP Green Acres Program
P.O. Box 412
Trenton, NJ 08625-0412
Contact:(609)984-0500

For G.A. Use Only

Date Rec'd: _____

Application No. _____

PROJECT INFORMATION

Project Title _____

Location of site _____

Municipality _____ **County** _____

Street(s) _____

Block(s) and Lot(s) _____

State Legislative District _____ **Congressional District** (of project site) _____

Type of Application :

Acquisition: Will land be acquired _____ *in fee simple* or _____ *easement*?

Development: Is land *owned* _____ or *leased** _____ to Nonprofit?

(*Copy of minimum 25-year lease must be provided)

Size of site to be acquired or developed: _____ **acres**

Total Estimated Cost of Project:

Land Acquisition:

Land	\$ _____
Survey	\$ _____
Appraisal	\$ _____
Prelim. site assess.	\$ _____
Title	\$ _____
Demolition*	\$ _____
Other related costs (itemized)	\$ _____
Total project cost	\$ _____

Park Development:

Construction	\$ _____
Professional services (13% of const.)	\$ _____
Prelim. site assess.	\$ _____
Other costs) (attach itemized list)	\$ _____
Total project cost	\$ _____

Total request this round ** \$ _____ Total request this round** \$ _____

* Demolition costs may be limited to an established cap.

** Please indicate cost of project that can be accomplished within one year.

Profile of municipality and county in which project is located:

Municipality: Area _____ (in sq. mi.) Population _____ (Year _____)

Population per square mile: _____

County: Area _____ (in sq. mi.) Population _____ (Year _____)

Population per square mile: _____

Estimated yearly operating expenses after acquisition or development \$ _____

Describe the proposed source(s) of the organization's matching funds _____

APPLICANT INFORMATION

Name of applicant organization _____

a.k.a. _____

Address _____

City _____ State _____ Zip _____

Telephone number (____) _____ Fax number (____) _____

Chief Executive Officer _____

Does the organization qualify as a Charitable Conservancy for the purposes of P.L. 1979, c. 378 (C. 13:8B-1 et seq.)? _____ Yes _____ No

(Please attach a letter from the organization's attorney certifying compliance.)

Are you currently registered and in full compliance with the Charities Registration and Investigation Act of 1994? (N.J.S.A. 45:17-A-18 et. seq.) Yes _____ No _____

State major purposes, activities, and membership policies of the organization: _____

Please attach the bylaws.

USE AND PUBLIC ACCESS INFORMATION

Please describe the project in detail, including physical characteristics of site, existing land use, and intended short and long-term use of the project site.

Describe the proposed public access to the site.

If applicable, describe any possibility of transferring ownership of the site to any government agency or another qualifying nonprofit organization.

Person having day to day responsibility for this application

Name _____ Title _____

Address _____

City _____ State _____ Zip _____

Telephone Number (____) _____ extension _____ Fax Number (____) _____

E-mail address, if applicable _____

Signature _____ Date _____

I, _____ (name of authorized official) hereby certify that the information provided within this Green Acres Nonprofit application is complete and true.

Date

Signature of official authorized to submit application as per attached Enabling Resolution

DEVELOPMENT APPLICATION ATTACHMENTS CHECK LIST

NOTE: This checklist should be returned with your completed application. If any items are not applicable, please indicate with 'N/A' next to that item.

1. _____ Application Form: Are all questions answered? Is form signed?
2. _____ Governing Body Resolution (the enclosed form must be used).
3. _____ Letter from nonprofit's attorney certifying that the applicant qualifies as a Charitable Conservancy for the purposes of P.L. 1979, c. 378 (C. 13:8B-1 et seq.) (Excerpt enclosed)
4. _____ Units and quantities cost estimate, prepared and signed by an authorized, licensed professional.
5. _____ Narrative description of proposal (must address, *in order*, each applicable factor contained in the enclosed Nonprofit Project Priority System).
6. _____ Site specific mapping.
 - _____ a. Site location on legible street map.
 - _____ b. Tax map outlining boundaries of site to be developed.
 - _____ c. Existing property survey (if available).
7. _____ Environmental Assessment (instructions enclosed).
8. _____ Conceptual Site Plan, including floor plans. Plans should be prepared by an authorized, licensed professional. Site plans should identify all proposed facilities, any existing facilities and improvements, and any area of proposed tree clearing.
9. _____ Copy of 25-year irrevocable property lease or use agreement for project site (if applicable).
10. _____ Proof of Publication of newspaper notice and copy of notification letter to municipal governing body(ies) regarding application submission. (See General Information).
11. _____ Digital images, photographic slide, and/or prints of the site.
12. _____ Letters of support (see Priority System Factor #5).
_____ Letters from municipal **and** county planning boards describing how project is specifically consistent with the appropriate Master Plans (See Priority System #5).
13. _____ List of all permits that may be required for the project - applicants with projects requiring permits, grants, or other approvals must *contact* all applicable permitting agencies to secure permit information and application prior to the submission of a Green Acres application.
14. _____ Letter verifying pre-application conference with the Pinelands Commission or Meadowlands Commission, if applicable, including the Commission's comments on the proposed development project.
15. _____ By-laws

16. _____ Breakdown of annual operating expenses after development of site

ACQUISITION APPLICATION CHECKLIST OF ATTACHMENTS

NOTE: This checklist should be returned with your completed application. If any items are not applicable, please indicate with an 'N/A' next to that item.

1. _____ Application form: Are all questions answered? Is form signed?
2. _____ Governing body resolution (the enclosed form must be used)
3. _____ Letter from nonprofit's attorney certifying that the applicant qualifies as a Charitable Conservancy for the purposes of P.L. 1979, c. 378 (C. 13:8B-1 et seq.) (relevant excerpt enclosed)
4. _____ Site specific mapping
 - _____ a. Project Reference Map (see instructions that follow)
 - _____ b. Site location on legible street map
 - _____ c. Tax map outlining boundaries of site to be acquired
 - _____ d. Existing property survey (if available)
5. _____ Narrative description of proposal (must address, in order, each applicable factor contained in the enclosed Nonprofit Project Priority System)
6. _____ Proof of Publication of newspaper notice and copy of notification letter to municipal governing body(ies) regarding application submission. (See General Information)
7. _____ Letters of support (see Priority System Factor #5)
_____ Letters from municipal **and** county planning boards stating that project is consistent with appropriate master plan (see Priority System Factor #5)
8. _____ Digital images, photographic slides, and/or prints of the project site
9. _____ By-Laws

PROJECT REFERENCE MAP COMPONENTS CHECKLIST

NOTE: This checklist should be returned with your completed application. If any items are not applicable, please indicate with "N/A" next to that item.

The "project reference map" is the basis for Green Acres ranking and evaluation and is used by the appraiser(s) in the determination of the parcel's market value. One copy of a project reference map is required for all acquisition proposals. The minimum size of this map should be 11" x 17" and include the information listed below. Clarity of presentation of data will dictate the actual paper size. (Please note that additional copies of this map will be required if the project is approved for funding.)

The project reference map can be generated mechanically using cartographic methods, or digitally using autocad or Geographic Information System (GIS) technology. Local units using GIS technology may acquire the georeference required by the Green Acres Program from the NJDEP's GIS.

It is recommended that you provide the map preparer with all available data and documents pertinent to the site (i.e., existing surveys, local unit master plan, etc.) in order to facilitate this mapping process.

The following are required elements of the project reference map:

- _____ (a) Project name and location
 - _____ (b) Block and lot numbers and municipality (ies) in which the acquisition is located
 - _____ (c) Current owner(s) of record (*also indicate adjacent lots under the same ownership*)
 - _____ (d) Area given in acreage or square feet
 - _____ (e) Dimensions of each lot marked on each perimeter boundary
 - _____ (f) Improvements shown in approximate location on parcel
 - _____ (g) Acquisition area - if only a portion of the parcel is proposed for acquisition, both the proposed portion and the remaining areas and sizes should be noted.
 - _____ (h) Scale of map. The map scale should be proportional to the size of the site to allow an appraiser to prepare an accurate appraisal
 - _____ (i) North arrow
 - _____ (j) Location and size (acreage) of existing easements, road rights-of-way, dune/beach areas. (Source of information must be identified on the map.)
 - _____ (k) Location and size (acreage) of Category One Streams and associated buffers, as well as riparian (tidelands) rights, floodplains, wetlands. Use of the following sources of information **is required**. Other available information specific to the site's wetlands boundaries, etc. should be submitted to supplement these required sources.
 - For Category One Streams, see <http://www.state.nj.us/dep/cleanwater/c1.html>
 - For Riparian Rights, use NJ Tidelands Claims Maps (also available in digital form), Conveyance Overlays and Atlas Sheets
 - For Coastal Wetlands, use NJ Coastal Wetlands Maps
 - For Freshwater Wetlands, use:
 - a. A wetland delineation verified by DEP-LURP, if one exists
 - b. NJ freshwater wetland maps (also available in digital form), if they exist.
- If neither of the above exists, use
- c. US Fish and Wildlife Service National Wetlands Inventory (NWI) maps in conjunction with County Soil Surveys.

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the _____ (*name of applicant*) desires to further the public interest by obtaining funding in the amount of \$ _____ from the State to fund the following project(s):
(*describe the project* _____
_____ at a cost of _____ (*project cost*);

NOW, THEREFORE, the governing body/board resolves that _____ (*name of authorized official*) or the successor to the office of _____ (*title of authorized official*) is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE _____ (*name of legal body or board*)

1. That the _____ (*title of authorized official*) of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as _____ (*project name*);
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$ _____;
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

CERTIFICATION

I, _____ (*name and title of Secretary or equivalent*) do hereby certify that the foregoing is a true copy of a resolution adopted by _____ (*name of legal body or board*) at a meeting held on the _____ day of _____, _____.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this _____ day of _____, _____.

(*name and title of Secretary or equivalent*)

EXCERPTS FROM: P.L. 1979, C. 378 (C. 13:8B01 ET SEQ.)*

a. **"Charitable conservancy"** means a corporation or trust whose purposes include the acquisition and preservation of land or water areas or of a particular land or water area, or either thereof, in a natural, scenic or open condition, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and which has received tax exemption under section 501(c) of the 1954 Internal Revenue Code;

b. **"Conservation restriction"** means an interest in land less than fee simple absolute, stated in the form of a right, restriction, easement, covenant, or condition, in any deed, will or other instrument, other than a lease, executed by or on behalf of the owner of the land, appropriate to retaining land or water areas predominantly in their natural, scenic, open or wooded condition, or for conservation of soil or wildlife, or for outdoor recreation or park use, or as suitable habitat for fish or wildlife, to forbid or limit any or all:

(1) Construction or placing of buildings, roads, signs, billboards, or other advertising, or other structures on or above the ground;

(2) Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste or unsightly or offensive materials;

(3) Removal or destruction of trees, shrubs or other vegetation;

(4) Excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance;

(5) Surface use except for purposes permitting the land or water area to remain predominantly in its natural condition;

(6) Activities detrimental to drainage, flood control, water conservation, erosion control or soil conservation, or fish and wildlife habitat preservation;

(7) Other acts or uses detrimental to the retention of land or water areas according to the purposes of this act.

c. **"Historic preservation restriction"** means an interest in land less than fee simple absolute, stated in the form of a right, restriction, easement, covenant, or condition, in any deed, will or other instrument, other than a lease, executed by or on behalf of the owner of the land, appropriate to preserving a structure or site which is historically significant for its architecture, archeology or associations, to forbid or limit any or all:

(1) Alteration in exterior or interior features of such structure;

(2) Changes in appearance or condition of such site;

(3) Uses of such structure or site which are not historically appropriate;

(4) Other acts or uses detrimental to the appropriate preservation of such structure or site.

* Applicants should obtain and review a copy of the entire law.

TAX EXEMPTION PROGRAM

There is an acute need in New Jersey for natural open space areas to serve public recreation and conservation purposes. The New Jersey Legislature recognized that public funds for the purchase and maintenance of open space are limited and should be supplemented by private individuals and organizations. It was determined to be "in the public interest to encourage the dedication of privately owned open space to public use and enjoyment."

In 1974, the Green Acres Tax Exemption Program was created to help meet the open space deficit in New Jersey. This program offers the incentive of local property tax exemption to certain nonprofit organizations or corporations that own recreation or conservation lands in New Jersey and are willing to open their private land to the public.

Any nonprofit organization that qualifies for exemption from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code and owns natural open space in New Jersey is eligible to make application under this program.

The Tax Exemption Program is in its thirtieth year and, to date, over 60,000 acres of privately owned open space have been opened to the public for a wide variety of environmental and recreational uses. These acres comprise more than 346 sites located in 174 municipalities throughout the state. Approximately 72 organizations have benefited from the Program.

The preservation of open space is a goal shared by many individuals and groups in New Jersey. The Tax Exemption Program is proof that the government and the private sector can work together successfully to achieve this goal. New Jersey must continue to explore methods of preserving open space, other than fee simple acquisition, if the state is to remain rich with "green acres."

Beginning in 2005, Tax Exemption applications will be due in the Green Acres office in the Spring of the pretax year, on a date to be announced shortly. By law, the Commissioner of the Department of Environmental Protection must make a determination on these applications by September 15th.

For an application or more information, please contact Bruce Bechtloff, Green Acres Program, Department of Environmental Protection, P.O. Box 412, Trenton, NJ 08625 (609) 984-0570.

11/04

NONPROFIT PROJECT PRIORITY SYSTEM

ACQUISITION AND DEVELOPMENT PROJECTS

This priority system is used to evaluate the relative merits of proposed acquisition and development projects. The system is designed to reflect the degree to which proposed projects conform with findings, recommendations and priorities of the New Jersey Statewide Comprehensive Outdoor Recreation Plan, the New Jersey State Development and Redevelopment Plan, and with statewide goals that are consistent with the Garden State Preservation Trust Act. The system uses a set of factors to evaluate each project's conservation and recreation features.

NOTE: EACH APPLICABLE FACTOR SHOULD BE ADDRESSED, IN ORDER, IN NARRATIVE FORM.

FACTOR #1 OPEN SPACE NEEDS (Acquisition only)

This factor evaluates the extent to which a proposed acquisition project will satisfy local open space deficits.

- (see table 1)
- a) **Balanced Land Use Deficit.** Up to 5 pts.
This factor takes into consideration the amount of additional open space needed in each municipality or county in order to satisfy the open space goals derived through the balanced land use method.
 - b) **Service Area Needs.** Up to 25 pts.
Because countywide figures do not necessarily represent the needs of a particular community or neighborhood, this factor considers the needs of the population to be served. The service area for each project will be defined based on population density and the type and size of the project.

FACTOR #2 SERVICE AREA NEEDS (Development only)

Up to 20 pts.

This factor considers the needs of the population to be served. The service area for the project will be defined on the basis of population density, scope and type of project, and consideration of the project's relation to an existing redevelopment plan. Facility needs will be based on a comparison of recreational demand and a site specific inventory of recreation facilities for the municipality(ies) in which the project is located (submitted by applicant).

FACTOR #3 ENVIRONMENTAL PROTECTION (Acquisition only)

Up to 3 pts. each

This factor is used to determine to what extent a proposed acquisition meets key conservation and environmental protection goals.

- a) **Lands that are of sufficient size and located so as to:**
 - 1. Protect critical wildlife habitat
 - 2. Preserve State Plan, Meadowlands Master Plan, Pinelands Comprehensive Management Plan, and Highlands Regional Master Plan Critical Environmental Sites, unique natural areas or land types (steep slopes, dunes, scenic overlooks, wetlands, forest lands)
 - 3. Provide additions to or linkages between existing public recreation/open space areas
 - 4. Support regional open space/conservation initiatives such as shore

- protection or the preservation of landscape ecology, biodiversity, wildlife corridors and/or greenways
- 5. Protect documented endangered and/or threatened species habitat
- b) **Greenways and water resource protection projects**, including forests, shorelines, and stream corridors that are of sufficient size and located so as to:
 - 1. Establish an integral link in an existing or planned local, regional or statewide conservation initiative, greenway, or designated or potential Wild and Scenic River
 - 2. Assist water resource protection efforts
 - 3. Provide significant natural flood protection
 - 4. Act as a physical or visual buffer between a significant natural resource or feature and development, or provide visual or physical access to the water
 - 5. Protect an aquifer; headwaters, tributaries or the corridor of a designated Category One stream; or other streams or rivers

FACTOR #4 **HISTORIC RESOURCE PRESERVATION** (Acquisition only) Up to 3 pts. each
 This factor is used to determine to what extent a proposed acquisition meets key historic resource preservation goals.

- a) The level of historic significance, as evidenced by the site being included on or eligible for inclusion on the New Jersey and/or National Registers of Historic Places or the site being designated a State Plan, Meadowlands Master Plan, Pinelands Comprehensive Management Plan, or Highlands Regional Master Plan Critical Historic Site.
- b) Extent to which the historic site provides extensions to or linkages between public recreation/open space areas.
- c) Extent to which the site is a significant and/or contributing component of a designated historic district.
- d) Extent to which the site is part of an ongoing historic preservation/restoration project or historic study or investigation.
- e) Level of historic integrity, as demonstrated by the authenticity of a property's historic identity of location, design, setting, materials, workmanship, feeling, and association

FACTOR #5 **PUBLIC PARTICIPATION/SUPPORT/PLANNING** (Acquisition and Development)
 This factor evaluates public involvement and support in the planning process beyond the minimum requirement of a newspaper notice.

- a) **Support** Up to 5 pts.
 Public support for a project is encouraged and should be demonstrated through letters from the municipal and county planning boards, park agencies, recreation departments, environmental commissions, user groups and the general public.
- b) **Planning** Up to 10 pts.
 Applicants should demonstrate consistency with the New Jersey State Development and Redevelopment Plan, the New Jersey Meadowlands Master Plan, the Pinelands

Comprehensive Management Plan, the Highlands Regional Master Plan, as appropriate; the New Jersey Statewide Comprehensive Outdoor Recreation Plan; and with local and county land use plans, especially open space/recreation elements, *by providing excerpts from, or providing specific references from such plans.*

FACTOR #6 PROJECT QUALITY (Acquisition and Development)

This factor evaluates project elements and features.

- a) **Accessibility** (Acquisition and Development) 1 pt. each
The site location:
 - 1. Is close to population centers;
 - 2. Is accessible by public transportation;
 - 3. Is accessible by walking and bicycling; or
 - 4. Creates public access where none exists or where existing access is undeveloped or restricted.

- b) **Recreation Potential** (Acquisition only) Up to 2 pts. each
The site:
 - 1. Is suitable for significant recreation facility development;
 - 2. Is suitable for water-dependent use and development;
 - 3. Represents part of a waterfront development or redevelopment plan;
 - 4. Provides environmental and/or historic interpretive opportunities; or
 - 5. Improves management or expansion of recreation facilities

- c) **Water Access** (Acquisition and Development) Up to 6 pts. (see table 2)
This subfactor evaluates the extent to which a project improves needed visual and/or physical public access to water.

- d) **Design Quality** (Development only) Up to 2 pts. each
The design:
 - 1. Includes multiple recreation and conservation purposes;
 - 2. Uses effective landscaping;
 - 3. Provides opportunities for a variety of user groups and multiple active and passive recreation activities; and
 - 4. Includes significant shade tree plantings.

- e) **Cost Effectiveness** (Acquisition and Development) Point range: +8, -8
This subfactor evaluates the quality of conservation or recreation opportunities provided by a project in comparison to the anticipated cost. Considerations include:
 - 1. Cost of alternative locations and facilities;
 - 2. Bargain sale, donation, easement or development rights purchase, or partnerships;
 - 3. Cost of future operation and maintenance; and
 - 4. Project site has development approvals from local planning board (Acquisition only).

FACTOR #7 PROJECT PRIORITIES (Acquisition and Development)

1 pt. each

The following acquisition and development project elements are encouraged:

- a) Private investment and/or ecotourism potential, public/private sector venture, supports municipal and county (urban complex) strategic revitalization plans

consistent with the State Development and Redevelopment Plan, the Pinelands Comprehensive Management Plan, the New Jersey Meadowlands Plan, or the Highlands Regional Master Plan, as appropriate;

- b) Waterfront development/redevelopment;
- c) Trails/bike paths/greenways;
- d) Historic/archeological resource enhancement/preservation;
- e) Wildlife habitat protection;
- f) Protection of Category One waters, or protection of other water resources;
- g) Multiple use projects (active and passive recreation opportunities);
- h) Addition to or the development of a prior Green Acres funded project;
- i) Donation of land, land value, cash, or labor/volunteers, etc.;
- j) Likelihood/threat of private development (Acquisition only);
- k) Designed and constructed to utilize clean and renewable energy and maximize energy efficiency (Development only);
- l) Rehabilitation or redevelopment of an existing recreational facility (Development only);
- m) Supports the provision of recreation required as part of a school construction project in an Abbott district; and
- n) Brownfield reclamation project.

FACTOR #8 FACILITY DESIGN SENSITIVITY AND SITE SUITABILITY (Development only)

(a) General recreation facilities

Up to 4 pts. each

The environmental features of the site will be used to determine the design sensitivity of the project. Projects that will have a significant negative impact on the site's natural resources will not be considered. Project design should minimize:

- 1.) Clearing by siting facilities in cleared areas;
- 2.) Grading, excavation, fill, and drainage by choosing sites with suitable topography and soil conditions for proposed facilities; and
- 3.) Adverse impacts on environmentally sensitive areas by retaining, establishing or enhancing vegetative buffers, or incorporating other site-sensitive techniques.

(b) Structures/Buildings

1 point

For projects involving structures, project is designed and constructed to meet the U.S. Green Building Council's (USGBCs) Leadership in Energy and Environmental Design (LEEDTM) Green Building Rating System for New Construction and Major Renovations Version 2.1. (For more information on the USGBC's LEEDTM System go to www.usgbc.org.)

TABLE 1**BALANCED LAND USE**

County	<u>Municipal Pts</u>	<u>County Pts</u>
Atlantic	1	3
Bergen	1	1
Burlington	4	5
Camden	2	2
Cape May	1	2
Cumberland	5	5
Essex	2	1
Gloucester	4	4
Hudson	2	1
Hunterdon	5	5
Mercer	2	2
Middlesex	3	3
Monmouth	2	3
Morris	1	2
Ocean	3	4
Passaic	1	1
Salem	5	5
Somerset	4	3
Sussex	4	4
Union	3	1
Warren	5	3

TABLE 2**PUBLIC ACCESS TO WATER
Need for Access**

<u>Water Body Type</u>	<u>HIGH</u>	<u>MEDIUM</u>	<u>LOW</u>
Ocean	6	5	4
Bay			
River			
Large Lake	5	4	3
Stream			
Lake	4	3	2
Small Stream			
Pond	3	2	1

**NONPROFIT ASSISTANCE PROGRAM
PARK DEVELOPMENT APPLICATIONS
ENVIRONMENTAL ASSESSMENT INSTRUCTIONS**

As part of the Green Acres funding proposal, each applicant must collect, evaluate, and present pertinent environmental information necessary to ascertain the suitability of the site for the activities proposed.

OUTLINE

1. DESCRIPTION OF THE PROPOSED ACTION

- a. Briefly describe the total development project
- b. State objectives of the project
- c. Fully describe multi-phase projects

2. DESCRIPTION OF THE ENVIRONMENT

Describe existing environmental features:

- vegetation
- wildlife
- geology, topography and soils
- water resources/hydrology
- historic/archeological resources
- transportation/access to site
- adjacent land uses/description of the surrounding neighborhood

3. ENVIRONMENTAL IMPACT ANALYSIS OF PROPOSED ACTION

Impacts are defined as direct or indirect changes in the existing environment, whether beneficial or adverse, that are anticipated as a result of the proposed action or related future actions and uses. Any off-site impacts, such as increased traffic on neighborhood roads or increased noise levels in surrounding areas, should be described. Whenever possible, environmental impacts should be quantified (i.e., number of trees to be removed, cubic yards of cut/fill, etc.).

- a. Discuss all affected resources and the significance of each impact
- b. Discuss short term and long term project impacts
- c. Discuss anticipated increase in recreation and overall use of site over time
- d. Identify adjacent environmental features that may be affected by the proposal
- e. List any permits required for project and a brief status of each (i.e., waterfront development)

4. ALTERNATIVES TO THE PROPOSED ACTION

- a. Identify alternate sites
- b. Discuss alternate levels and types of development
- c. Compare environmental impacts of each alternative

5. MITIGATING MEASURES

- a. Describe the measures that will be undertaken to mitigate adverse impacts

Atlantic

Atlantic City
Margate City
Ventnor City

Bergen

Bergenfield Boro
Bogota Boro
Cliffside Park Boro
Dumont Boro
Edgewater Boro
Elmwood Park Boro
Englewood City
Fair Lawn Boro
Fairview Boro
Fort Lee Boro
Hasbrouck Heights Boro
Leonia Boro
Little Ferry Boro
Maywood Boro
New Milford Boro
North Arlington Boro
Palisades Park Boro
Ridgefield Park Village
River Edge Boro
Rochelle Park Twp
Rutherford Boro
Teaneck Twp
Wallington Boro
Wood-Ridge Boro

Burlington

Evesham Twp
Mount Laurel Twp
Riverside Twp

Camden

Audubon Boro
Audubon Park Boro
Cherry Hill Twp
Collingswood Boro
Haddon Twp
Merchantville Boro
Mount Ephraim Boro
Oaklyn Boro
Woodlynne Boro

Essex

Caldwell Boro

Glen Ridge Boro
Maplewood Twp
Nutley Twp
South Orange Village Twp
West Orange Twp

Gloucester

Washington Twp

Hudson

East Newark Boro
Guttenburg Town
Harrison Town

Mercer

Ewing Twp
Hamilton Twp
Princeton Boro

Middlesex

Dunellen Boro
East Brunswick Twp
Edison Twp
Highland Park Boro
Jamesburg Boro
North Brunswick
Piscataway Twp
Sayreville Boro
South Amboy City
South Brunswick Twp
South River Boro

Monmouth

Avon By The Sea Boro
Belmar Boro
Bradley Beach Boro
Freehold Boro
Highlands Boro
Howell Twp
Keansburg Boro
Keyport Boro
Long Branch City
Marlboro Twp
Middletown Twp
Red Bank Boro
Shrewsbury Twp
South Belmar Boro

Morris

Dover Town
Morristown Town
Parsippany Troy

Victory Gardens Boro

Ocean

Berkeley Twp
Dover Twp
Jackson Twp
Manchester Twp
Point Pleasant Boro
Seaside Heights Boro

Passaic

Clifton City
Haledon Boro
Hawthorne Boro
Prospect Park Boro
Wayne Twp

Somerset

Bound Brook Boro
Bridgewater Twp
Franklin Twp
Hillsborough Twp
North Plainfield
Somerville Boro
South Bound Brook Boro

Union

Fanwood Boro
Garwood Boro
Linden City
Roselle Park Boro
Union Twp
Winfield Twp

Densely Populated Counties

Bergen, Camden, Mercer,
Middlesex, Monmouth, Morris,
Passaic

Highly Populated Counties

Essex
Hudson
Union